

REMARKS

With this response, 9 claims are pending. Claim 37 has been rewritten. No claims have

5 been added or cancelled.

Applicants have included a credit card payment form for \$880.00, which includes the large entity fee for a one-month extension of time and the fee for a Request for Continued Examination. Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the 10 Commissioner is authorized to deduct the fees from Ian F. Burns & Associates, P.C. Deposit Account No. 50-0913.

I. Objection to the Drawings

The Office objected to the drawings because there are presently two of each figure.

15 Applicants have renumbered the drawings and amended the specification accordingly. Because of the number of changes to the specification, a substitute specification has been submitted. Applicants respectfully request the Office to withdraw its objection to the drawings.

II. §112, second paragraph rejections

20 The Office rejected claims 37-39 under §112, second paragraph because the Office believes the use of the phrase "but not necessarily in the order shown" renders the claims indefinite. Applicants respectfully disagree. The steps of claim 37 are arranged in a logical sequence as presented in the claim. However, the claim is not limited to the steps being

performed in this order. Therefore, the claim both presents one possible order and fairly apprises the public that the claim is intended to cover a method in which the recited steps are performed in any order. However, Applicants have rewritten claim 37 to remove the objectionable phrase, as well as to correct a typographic error noted by the Office. Accordingly, Applicants

5 respectfully request the withdrawal of the §112, second paragraph rejection of claims 37-39.

III. §103 rejections

Rejection over Cole, Capers, and Perrie

Claims 31 and 34-37 were rejected under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent Number 6,475,087 to Cole (hereinafter, “Cole”) in view of U.S. Patent Number 4,669,596 to Capers et al. (hereinafter, “Capers”), further in view of U.S. Patent Number 6,173,955 to Perrie et al. (hereinafter, “Perrie”). Cole issued November 5, 2002 from an application filed March 3, 2000. Applicants’ present application was filed Monday, October 2, 2000 claiming priority to a provisional application filed October 1, 1999. Because Applicants’ present application has an effective filing date earlier than that of Cole, Cole is not available for use as prior art against Applicants’ claims. The asserted combination of references cannot be applied against Applicants. Applicants therefore respectfully request the withdrawal of the §103(a) rejection of claims 31 and 34-37 over Cole, Capers, and Perrie.

20 Rejection over Cole, Capers, and Stockdale

Claims 31 and 34-37 were rejected under 35 U.S.C. §103(a) over Cole in view of Capers, further in view of U.S. Patent Number 6,503,147 to Stockdale et al. (hereinafter, “Stockdale”). As previously discussed, Cole is not available as prior art. Similarly, Stockdale issued January 7,

2003 from an application filed August 9, 2000, claiming priority to an application filed October 6, 1999. Applicants' effective filing date of October 1, 1999 is earlier than the effective date of Stockdale. Accordingly, Stockdale is not available as prior art against Applicants' claims. The asserted combination of references cannot be applied against Applicants. Applicants therefore 5 respectfully request the withdrawal of the §103(a) rejection of claims 31 and 34-37 over Cole, Capers, and Stockdale.

Rejection over Cole, Capers, Perrie, and Crevelt

Claims 32-33 and 38-39 were rejected under 35 U.S.C. §103(a) as allegedly being 10 obvious over Cole in view of Capers, further in view of Perrie, further in view of U.S. Patent 5,902,983 to Crevelt et al. (hereinafter, "Crevelt"). As previously discussed, Cole is not available as prior art against Applicants. Accordingly, the asserted combination cannot be used to reject Applicants' claims and Applicants request the withdrawal of the §103(a) rejection of claims 32-33 and 38-39 over Cole, Capers, Perrie, and Crevelt.

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Rejection over Cole, Capers, Stockdale, and Crevelt

Claims 32-33 and 38-39 were rejected under 35 U.S.C. §103(a) as allegedly being 20 obvious over Cole in view of Capers, further in view of Stockdale, and further in view of Crevelt. As previously established, Cole and Stockdale are not available as prior art against Applicants. Accordingly, the asserted combination cannot be used to reject Applicants' claims and Applicants request the withdrawal of the §103(a) rejection of claims 32-33 and 38-39 over Cole, Capers, Stockdale, and Crevelt.

CONCLUSION

For all of the above reasons, the Applicants submit that the present application is in condition for allowance. If the Examiner has any questions regarding the application or this Amendment B, the Examiner is encouraged to call the Applicants' attorney, Ryan A. Heck, at

5 (775) 826-6160.

Respectfully Submitted

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